

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

RICARDO GONZALEZ)
vs.) CR 01-CO-487-S
UNITED STATES OF AMERICA) CV 03-CO-8035-S

MEMORANDUM OF OPINION

The magistrate judge filed his findings and recommendation on August 14, 2006 recommending that the § 2255 motion to vacate be dismissed as untimely. The parties were allowed fifteen days in which to file objections. No objections have been filed.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the findings and recommendation, the Court is of the opinion that the magistrate judge's findings are due to be and are hereby ADOPTED and his recommendation is ACCEPTED. Accordingly, the motion to vacate is due to be DISMISSED. A Final Judgment will be entered.

Done this 7th day of September 2006.



L. SCOTT COGLER
UNITED STATES DISTRICT JUDGE
124153